



Senate

General Assembly

File No. 322

January Session, 2001

Substitute Senate Bill No. 1361

Senate, April 17, 2001

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-229 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) An eligible individual who is partially unemployed throughout a
4 week, which shall be, at the discretion of the administrator, either a
5 calendar week or a payroll week of seven consecutive days as
6 determined by the administrator, shall be paid with respect to such
7 week an amount equal to [his] such individual's benefit rate for total
8 unemployment reduced by an amount equal to two-thirds, rounded to
9 the next higher whole dollar, of the total remuneration, rounded to the
10 nearest whole dollar, of any nature payable to [him] such individual
11 for services of any kind during such week, except service performed in
12 the employ of any town, city or other political subdivision, which

13 service is performed in lieu of payment of any delinquent tax
14 payments to such town, city or other political subdivision. An
15 individual shall be deemed to be partially unemployed in any week of
16 less than full-time work if the total remuneration of any nature payable
17 to [him] such individual for services of any kind during such week,
18 except service performed in the employ of any town, city or other
19 political subdivision, which service is performed in lieu of payment of
20 any delinquent tax payments to such town, city or other political
21 subdivision, amounts to less than one and one-half times [his] such
22 individual's benefit rate for total unemployment rounded to the next
23 highest dollar.

24 (b) For purposes of this section, remuneration [shall] also [include]
25 includes any holiday pay payable with respect to any such week,
26 whether or not any service was performed during such week or was in
27 any other way required for receipt of such holiday pay.

28 (c) For purposes of this section, the administrator shall consider
29 earnings derived from self-employment, but only to the extent such
30 earnings are actually received or payable with respect to a given week
31 of partial unemployment.

32 (d) For purposes of this section, an individual who is seeking only
33 part-time employment for at least twenty hours per week due to a
34 physical or mental impairment or combination of impairments is
35 considered "partially unemployed" only with respect to a week during
36 which the individual was employed fewer than twenty hours.

37 Sec. 2. Subsection (a) of section 31-235 of the general statutes is
38 repealed and the following is substituted in lieu thereof:

39 (a) An unemployed individual shall be eligible to receive benefits
40 with respect to any week only if it has been found that (1) [he] the
41 individual has made claim for benefits in accordance with the
42 provisions of section 31-240 and has registered for work at the public

43 employment bureau or other agency designated by the administrator
44 within such time limits, with such frequency and in such manner as
45 the administrator may prescribe, provided failure to comply with this
46 condition may be excused by the administrator upon a showing of
47 good cause [therefor] for such failure; (2) except as provided in
48 subsection (b) of this section, [he] the individual is physically and
49 mentally able to work and is available for work and has been and is
50 making reasonable efforts to obtain work, provided [he] the individual
51 shall not be considered to be unavailable for work solely because [he]
52 (A) the individual has a physical or mental impairment or combination
53 of impairments that requires the individual to limit the number of
54 hours the individual may work so long as the individual is available to
55 work at least twenty hours per week, or (B) the individual is attending
56 a school, college or university as a regularly enrolled student during
57 [his] the individual's separation from employment, within the
58 limitations of subdivision [(a)(6)] (6) of subsection (a) of section 31-236,
59 and provided further, [he] the individual shall not be considered to be
60 lacking in [his] efforts to obtain work if, as a student, [he] the
61 individual restricts such efforts to employment [which] that does not
62 conflict with [his] the individual's regular class hours as a student, and
63 provided the administrator shall not use prior "patterns of
64 unemployment" of the individual to determine whether [he] the
65 individual is available for work; (3) [he] the individual has been paid
66 wages by an employer who was subject to the provisions of this
67 chapter during the base period of [his] the individual's current benefit
68 year in an amount at least equal to forty times [his] the individual's
69 benefit rate for total unemployment: Provided an unemployed
70 individual who is sixty-two years of age or older and is involuntarily
71 retired under a compulsory retirement policy or contract provision
72 shall be eligible for benefits with respect to any week, notwithstanding
73 subdivisions (1) and (2) of this [section] subsection, if it is found by the
74 administrator that [he] the individual has made claim for benefits in
75 accordance with the provisions of section 31-240, has registered for

76 work at the public employment bureau, is physically and mentally
77 able to work, is available for work, meets the requirements of this
78 subdivision and has not refused suitable work to which [he] the
79 individual has been referred by the administrator; (4) [he] the
80 individual participates in reemployment services, such as job search
81 assistance services, if the individual has been determined to be likely
82 to exhaust regular benefits and need reemployment services pursuant
83 to a profiling system established by the administrator unless the
84 administrator determines that (A) the individual has completed such
85 services, or (B) there is justifiable cause for the individual's failure to
86 participate in such services. The administrator shall adopt regulations,
87 in accordance with the provisions of chapter 54, for the administration
88 of the profiling system. For purposes of subdivision (2) of this [section]
89 subsection, "patterns of unemployment" means regularly recurring
90 periods of unemployment of the claimant in the years prior to [his]
91 filing the claim in question.

LAB **JOINT FAVORABLE SUBST.**

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Cost (Unemployment Compensation Fund)

Affected Agencies: Department of Labor

Municipal Impact: Cost

Explanation**State and Municipal Impact:**

The bill establishes that an individual is eligible for unemployment compensation who is seeking or is limited to only part-time employment for at least 20 hours per week due to a physical or mental impairment or combination of impairments. The individual is considered “partially unemployed” only with respect to a week during which the individual was employed fewer than 20 hours.

The Department of Labor estimates that 85 individuals annually will be eligible for unemployment compensation at approximately \$150 a week. The claimants will collect this amount for approximately 14 weeks. The cost to the Unemployment Compensation Fund will be about \$178,500 annually. The state will incur a cost of about \$1,785 annually in unemployment contribution costs while the municipal cost is approximately \$3,570.

OLR Bill Analysis

sSB 1361

AN ACT CONCERNING ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.**SUMMARY:**

Generally, in order to be eligible for unemployment compensation, a claimant must, among other things, be physically and mentally able to work and available for work. By regulation, "available for work" means available for full-time work. This bill allows unemployment compensation claimants who are not available for full-time work because of physical or mental impairments, or both to meet the "available for work" eligibility requirement if they are available for work at least 20 hours a week.

It also provides that individuals who are seeking only part-time work for at least 20 hours a week due to physical or mental impairments, or both are considered "partially unemployed" only in weeks when they work less than 20 hours.

EFFECTIVE DATE: October 1, 2001

BACKGROUND***Full-time Work***

The Department of Labor regulations define "full-time work" as employment for the number of hours that prevail for the industry or employment sector in which the work is performed.

Partially Unemployed

A person is eligible for unemployment benefits if, in a week of part-time work, he earns less than one and one-half times his weekly benefit amount.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 10 Nay 4